

Between Conflict and Peace: The Government Policies and Sunni-Shia Relationship in Sampang and Yogyakarta

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1 Between Conflict and Peace: The Government Policies and Sunni-Shia Relationship in Sampang and Yogyakarta

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Abstract

1 The Shi'a minority encounters different kind of treatments from the Sunni majority in several regions in Indonesia; some falls into series of violent discriminative conflicts, while the other live in peace. The Sampang Shi'a community has encountered the first kind of treatments, whereas the Shi'a community in Yogyakarta is able to get a safe environment. The disjuncture comes from the different policies enacted by the respective regional governments. This study tries to describe the differences of the policies from the regional governments and uncover the factors structuring them. In doing so, this qualitative study approaches the issue through a case study using the theory of conflict proposed by Ralf Dahrendorf and functional theory of Lewis A. Coser. This study finds some factors leading to the different form of treatments of Sunni majority towards the Shi'a minorities of Sampang and Yogyakarta, including: social, cultural, political, economic, and some other external factors. Furthermore, it also suggests that to cope with the discrimination issue towards the minority, the government could consider to implement the politics of multiculturalism proposed by Charles Taylor.

Abstrak

Kelompok minoritas Syiah mendapatkan perlakuan berbeda dari mayoritas Sunni di beberapa tempat di Indonesia; ada yang jatuh pada konflik kekerasan yang diskriminatif dan ada yang hidup damai. Komunitas Shi'ah di Sampang menghadapi kasus yang pertama, sementara komunitas Shi'ah di Yogyakarta bisa hidup dan berkegiatan dengan aman. Perbedaan tersebut berhubungan dengan kebijakan dari pemerintah daerah terkait. Penelitian ini berupa 30 mengungkap perbedaan kebijakan pemerintah di masing-masing wilayah dan faktor-faktor pembentuknya. Penelitian ini menggunakan metode kualitatif dengan menggunakan pendekatan studi kasus dan menggunakan teori konflik Ralf Dahrendorf dan teori fungsional Lewis A. Coser. Penelitian ini menemukan sejumlah faktor yang bermuara pada perbedaan penerimaan masyarakat Sunni atas komunitas Shi'ah di Sampang dan di Yogyakarta, meliputi: faktor sosial, budaya, politik, ekonomi, dan sejumlah faktor luar. Penelitian ini juga berargumen bahwa dalam rangka mengatasi problem 1 diskriminasi atas minoritas, pemerintah perlu menerapkan politik multiculturalisme yang ditawarkan oleh Charles Taylor.

Keywords: Sunni-Shia; Social Relation; Policies; Conflict; Peace

Introduction

There are many religious communities in Indonesia, such as Sunni and Shia. The relationship between Sunni and Shia in Indonesia is dynamic and contextual. In its historical reality, the two communities have peaceful and conflictual relations. The conflictual relations have many affecting factors, it could be internal or external. In Sampang, Shia that became a minority received strong discrimination from the Sunni as a majority. The same thing was experienced by Shia minority in Yogyakarta, but they did not experience strong discrimination and tended to be peaceful.

Besides, the difference is also seen in the presence of two different state policies. In Sampang, the state together with the authorities adopted a policy of allowing the Shia to be persecuted by the majority and they were driven out of their homes.¹ While in Yogyakarta, Shia did not get such state policy. They can still live in their hometown, despite occasional interruptions.

The different relations and state policies are interesting to be studied more deeply, especially regarding the factors which shape social relations as well as the factors which shape state policies. Both of them give birth to the conflictual Shia case in Sampang and peaceful case in Yogyakarta, especially the Shia community affiliated to the Rausyan Fikr organization.

Studies on Shia as minority religious groups have been extensively studied⁴⁹ by Ahmad Zainul Hamdi on "Claims of Religious Authority in the Sunni-Shi'i Conflict of Sampang Madura" (2012),² Stev Koresy Rumagit on Discrimination Between Interreligious Groups in

Indonesia (2013),³ Iim Halimatusa'diyah about the role and relations of Shia women (2013),⁴ Muhammad Afdillah, "From the Mosque to the Political Stage: A Case Study of the Role of Religious and Political Leaders in Conflict of Religious Violence between Sunni and Shia Communities in Sampang East Java" (2013),⁵ M. Imaduddin Nasution about Minority groups in Indonesia in terms of politics ((2013),⁶ Johan Wahyudi and Makmun Wahid about the suffering of the Shiite Muslim community in Sampang (2015),⁷ Masdar Hilmy who discovered the roots of the Sunni-Shi'ah conflict in Sampang Madura which was triggered by political and economic factors,⁸ Ahmad Solikhin on the importance of protecting the rights of minority groups in Indonesia in general (2016),⁹ Endra Wijaya about efforts to defend minorities through the courts which are still procedural, not substantive (2017),¹⁰ and Al Makin about the persecution of Shiites in Yogyakarta in his article "Homogenizing

¹¹ Johan Wahyudi dan Makmun Wahid, "Peminggiran Minoritas dan Absennya Multikulturalisme di Ranah Lokal: Studi Kasus Komunitas Muslim Syiah di Sampang", *Jurnal Politik Profetik*, Vol. 5, no. 1 (2015), (23).

² Ahmad Zainul Hamdi, "Klaim Religious Authority dalam Konflik Sunni-Syi'i Sampang Madura", *ISLAMICA*, Vol. 6, no. 2 (Maret 2012). DOI: 10.15642/islamica.2012.6.2.215-231.

³² Stev Koresy Rumagit, "Kekerasan dan Diskriminasi Antar Umat Beragama di Indonesia", *Lex Administratum*, Vol.1, no. 22 (Maret 2013).

⁴ Iim Halimatusa'diyah, "Being Shi'ite Women in Indonesia's Sunni Populated Community: Roles and Relation among Themselves and with Others", *Southeast Asia Research*, 21, no. 17 (t.t), <https://doi.org/doi:10.5367/sear.2013.0137>.

⁵ Muhammad Afdillah, "Dari Masjid ke Panggung Politik: Studi Kasus Peran Pemuka Agama dan Politik dalam Konflik Kekerasan Agama antara Komunitas Sunni dan Syiah di Sampang Jawa Timur", *Tesis*, CRCS UGM, 2013.

⁶ M. Imaduddin Nasution, "Demokrasi dan Politik Minoritas di Indonesia", *Politica*, Vol. 4, no. 2, (November 2013).

⁷ Wahyudi dan Wahid, "Peminggiran Minoritas", 65-81.

⁸ Masdar Hilmy, "The Political Economy of Sunni-Shi'ah Conflict in Sampang Madura", *Al-Jami'ah: Journal of Islamic Studies*, Vol. 53, no. 1, (2015), <https://doi.org/10.14421/ajis.2015.53.1.47-51>.

⁹ Ahmad Solikhin, "Islam, Negara, dan Perlindungan Hak-hak Islam Minoritas", *Journal of Governance*, Vol. 1, no. 2, (2016), DOI: <http://dx.doi.org/10.31506/jog.v1i1.1312>.

¹⁰ Endra Wijaya, "Problem Melindungi Hak Beragama dan Berkeyakinan Bagi Kelompok Minoritas Melalui Penyelesaian", *Jurnal Yudisial*, Vol.10, no. 2, (Agustus 2017), 135-154, DOI: <http://dx.doi.org/10.29123/jy.v10i2.172>.

³⁰ Indonesian Islam: Persecution of the Shia Group in Yogyakarta" (2017).¹¹

From those studies, so far there are no studies that attempt to compare the unique factors forming social relations and state policy in the case of Sunni-Shia. Thus this study is important to be conducted to fill the space of Sunni-Shiite relations studies with various factors that cause different state policies. This study will examine three issues, namely (1) what are the social, cultural, political, economic, and other factors that shape conflictual social relations and state policies which discriminate Shia minority groups in Sampang? (2) what are the social, cultural, political, economic, and other factors that support the formation of peaceful social relations and state policies which are relatively fair to Shia in Yogyakarta? and (3) what is the model of a fair state policy that can be applied to protect all residents without discrimination?

The type of this research is qualitative using a case study approach. To analyze the two different conflict cases above, the author uses ⁴⁸ conflict theory used by Ralf Dahrendorf for the case of the Sunni-Shi'a conflict in Sampang¹² and the ³⁹ conflict functionalism theory by Lewis Coser¹³ to analyze the Sunni-Shi'a conflict in

¹¹ Al Makin, "Homogenizing Indonesian Islam: Persecution of the Shia Group in Yogyakarta", *Studia Islamika: Indonesian Journal for Islamic Studies*, Vol. 24, no. 1, (2017), 5, DOI: 10.15408/sdi.v24i1.3354.

¹² In Dahrendorf's view, the core of his thesis is that all ideas in society lie in the position of people who have different qualities of authorities. So that authorities are understood not to lie from individuals, but rather comes from position. From this, it can be understood that position is a key factor in Dahrendorf's analysis. The authorities indirectly declared superordination and subordination. The theory finds its relevance in relation to the Sampang conflict, where Sunni groups become superordinated and Shia groups become subordinated. The superordinated groups that become the dominant in society always try to maintain the status quo of their position in the community, while the subordination groups just try to make changes, M. Wahid Nur Tualeka, "Teori Konflik Sosiologi Klasik dan Modern", *Jurnal Al-Hikmah*, Vol. 3, no. 1, (Januari 2017), 40-41.

¹³ According to him, conflict is something that can not be separated from human life, conflict is considered to be a living and positive value. Otherwise, in the absence of conflict,

Yogyakarta. Meanwhile, to establish a policy, the author uses Carlos Taylor's policy theory that proposes multicultural politics.

Sunni-Shia Social Relations in Sampang and Yogyakarta

In Indonesia, relations between religious groups, especially Sunni-Shia, have occurred along with the spread of Islam in Indonesia. History records that through some forms of religious activities (ie sermons) and trade, Shia came firstly to Aceh through traders from Persia who transitted in Gujarat.¹⁴

Afterward, the victory of Ayatullah Rohullah Khomeini in the Iranian Islamic Revolution in 1979 increasingly catapulted the name of Shia to the world. This victory was not obtained in warfare, but intellectual and philosophical movements with the spread of thought, through speeches and papers.¹⁵ One year after the victory, in 1980 this movement was spread throughout the world until the 1990s, including Indonesia. The advance of Shia communities in Sampang and Yogyakarta was part of the revolution effects. Some of the figures who preached Shi'ism in Indonesia were Ustadz Umar from Palembang and Ustadz Husein Al-Habsy from East Java.

someday there will definitely be a period of truly chaotic times. Coser divides conflict situations into two, realistic conflicts and unrealistic conflicts. The first part is the conflict that occurs as a result of some special demands that occur in a relationship and from the possible benefits that should be gained from objects that are in fact disappointing. While the second one is a conflict that does not originate from antagonistic rival's goals, but rather from the needs in order to defuse tension at least from one of the parties, Argy Demantoto, "Strukturalisme Konflik: Pemahaman Akan Konflik pada Masyarakat Industri Menurut Lewis Coser dan Ralf Dahrendorf", *Jurnal Sosiologi*, Vol. no. 1, (2010), 3-4.

¹⁴ Oki Setiana Dewi, "Syiah: Dari Kemunculannya Hingga Perkembangannya di Indonesia", *Jurnal Studi Alquran: Mengungkap Tradisi Berfikir Qur'ani*, Vol.12, no. 2 (Tahun 2016), 233, doi:doi.org/10.21009/JSQ.012.2.06.

¹⁵ Wahyu Iryana, dkk., "The Existence of Shia in Indonesia Between Tradition and Power of Government", *Paramita: Historical Studies Journal*, 28, no. (2), (2018), DOI: http://dx.doi.org/10.15294/paramita.v28i2.12912, 125.

At first, the Shia ideology was welcomed by the people of Indonesia especially by intellectuals who were fascinated by its revolutionary spirit. From here the Shia relationship with other groups does not cause significant friction. However, the Shia relations began to heat up and lead to conflict when the Shiites spread their *fiqh* (jurisprudences).¹⁶

The starting point of Shia teachings in Sampang was introduced by KH Makmun around the 1980s. He was interested in studying Shia teachings after one of his friends had just returned from Iran and told the story of Imam Khomeini's spirit in his revolution. That curiosity led him to go to Bangil, Pasuruan to learn the teachings of Shia at the Yayan Pesantren Islam (YAPI) which became the center of Shia studies in East Java.¹⁷ In this institution, KH. Ma'mun gained extensive insights about Shia, he also sent his three children, Iklil Al-Milal, Tajul Muluk, and Roisul Hukama to this institution to follow their father's path.¹⁸

The highest spread of Shia in Sampang was when Tajul Muluk (KH. Makmun's son) became chairman of the Sampang branch of IJABI (Indonesian Ahlul Bait Association). Tajul's education began at YAPI Middle School, followed by studying at Sayyid Muhammad Al-Maliki Islamic Boarding School (Saudi Arabia). He returned to Indonesia in 1999 and then settled in Karang Gayam, Sampang. After returning from YAPI and school in Saudi Arabia, Tajul actively preached the ideology he followed. The method used by Tajul was quite successful. He has successfully influenced

surrounding communities through a cultural approach. According to local residents, the religious propaganda brought by Tajul from the YAPI boarding school and Saudi Arabia brought a difference from the preaching from the Sunnis.¹⁹ Through persuasive approach, Tajul was able to get local residents to join the Shia group.²⁰

In 2004, Tajul established a *pesantren* (Islamic boarding school) Misbahul Huda. In this *pesantren*, he introduced new practices that potentially change the established system, such as *Maulid Nabi* (anniversary of the Prophet's birthday) tradition. The existing tradition that had been running in the community shows that the Maulid ceremonies are usually held in each of the residents' house. However, the tradition was changed by Tajul by only conducting it in one location. Basically those different ways of celebration are essentially the same, and also considered more economical, but culturally this practice has changed and reduced the relationship between clerics and the Maduraese community.²¹ And from then on, the surrounding community began to feel insecure with the existence of Shia community

The social changes propagated by Tajul and his community have created tensions between Shia and Sunni scholars. Some actions which are considered offensive by the Sunnis are Tajul's criticisms of Sunni ideology in his speeches which is delivered through loudspeaker devices, and one of Tajul's accusations is that he considers Sunnis as *kāfir* (heretic). From then on, some accusations started to rise, Tajul was accused of teaching heresy like assuming that the Koran is currently false, because according to them the real Koran will

¹⁶ Historically, the Sunni-Shi'a conflict in the field of *fiqh* has been occurred since the 2nd century H. See Ahmad Zainal Abidin, "Shi'ite Ideology Bias in Al-Qummi Tafsir: Study of Ali Imran and Al-Nisa' Chapter", *Esensia: Jurnal Ilmu-Ilmu Ushuluddin*, Vol. 19, no. 2 Oktober 2018, 195, DOI: <https://doi.org/10.14421/esensia.v19i2.1594>.

¹⁷ https://id.m.wikipedia.org/wiki/YAPI_Bangil. Accessed on 30 July 2019.

¹⁸ Rachmah Ida dan Laurentius Dyson, "Konflik Sunni-Syiah dan Dampaknya Terhadap Komunikasi Intra-Religius", *Jurnal Masyarakat, Kebudayaan dan Politik*, Vol. 28, no. 1, (tahun 2015).

¹⁹ Handrini Ardiyanti, "Konflik Sampang: Sebuah Pendekatan Sosiologi-Komunikasi", *Politica*, Vol. 3, no. 2, (November 2012), 231.

²⁰ Kiai Muhdis dan Kiai Mukhlisin, "interview", 20 Septem 2019.

²¹ Mohammad Iqbal Ahnaf dkk., *Politik Lokal dan Konflik Keagamaan: Pilkada dan Struktur Kesempatan Politik dalam Konflik Keagamaan di Sampang, Bekasi, dan Kupang* (Yogyakarta: CRCS, 2015), 19.

come later with Imam Mahdi, and so on.²² It was the point that ultimately led to the climax of the conflict in 2012 which occurred beyond the villages of Karanggayam and Blu'uran.²³

After the incident, the Sunni communities formed a team called the "Team of Five", including; Kiai Khafid, Kiai Muhdis, Kiai Mukhlisin, Kiai Mahdi, Kiai Mat Hasan (Karang Gayam) and Kiai Nasir, Kiai Abdullawi, Kiai Mat Hasan, Kiai Moh. Bahri, Munaji (Blu'uran). The team is appointed to determine whether the Shia group should exist or not in the village.²⁴

The conflict between two is increasingly widespread, not only involving clerics but also taking part in government officials. Anti-Shia opposition came from Kiai Ali Karar, who was the frontline in the effort to 'convert' people from Shia to Sunni. He collected and brought together Madurese clerics for support, both through BASRA (Board of Madurese *Peseantren* Clerics), FMU (Ulama Deliberation Forum), and FUM (Madurese Ulama Forum), as well as the Sampang Regional Government to support his movement.²⁵ They all agreed that Shia was a heretic. Their agreement gained legitimacy from the Sampang branch of NU,²⁶ the Sampang MUI fatwa, and the East Java MUI as well as the Sampang Regional Government in collaboration with Sampang clerics and Bakorpakem (Religions and Sects Supervisory Board). They all urged Tajul to stop his dakwah (preaching) activities and his followers were asked to leave Sampang.

In Yogyakarta, there are Shia community who call themselves Rausyan Fikr (RF). The RF Foundation was established inspired by the post-Iranian revolution in 1979.²⁷ In the

beginning, RF was organized by Yogyakarta students who gathered in the 1990s with the intellectual spirit and propaganda of Islam.²⁸ Finally, RF was born on May 14, 1995. The foundation was initiated by several people, including AM Safwan, Salman Nasution, and Sayyid Muhammad al-Jufri. Its secretariat is located at Jl. Kaliurang Km 5.6 Pandega Wreksa No.1B Yogyakarta.²⁹ This foundation's vision is: "towards a rational and spiritual Islamic community", while its mission is: "building a tradition of thought based on Islamic philosophy and mysticism to build social responsibility"³⁰

The characteristic of RF is that it only deals with the religious intellectual realm and it does not take part in the realm of practical politics. Also, RF is not affiliated with ABI (Indonesian Ahlul Bait) and IJABI. This has become a special feature for RF. This community remains firm by taking on universal issues such as moral philosophy, divine justice, the history of philosophy which are all still within the scope of Islamic philosophy.³¹ Thus RF is different from other religious organizations such as NU and Muhammadiyah,[21], or Hizbu Tahrir Indonesia (HTI) who fight for the Islamic Khilafah,³² However, the role of RF was felt in educating and increasing religious criticism for the Muslims of Yogyakarta, especially among students.

According to Safwan, members of the RF group are of two types. The first type is those who are fixed in Sunni theology but they tend to be interested in Shia intellectual thought, and the second one are those who really convert to Shi'ism. But Safwan stated that this community

²² Kiai Syafiudin Abd Wahid, Kiai Muhdis, dan Kiai Mukhlisin, "interview", 20 September 2019.

²³ Ahnaf, *Politik Lokal*, 19.

²⁴ Kiai Abd Wahid, Kiai Muhdis, dan Kiai Mukhlisin, "interview", 20 September 2019.

²⁵ Ahnaf, *Politik Lokal*, 19-20.

²⁶ Kiai Syafiudin Abd Wahid, "interview", 20 September 2019.

²⁷ Karya Alam, "Sejarah Perkembangan dan Kontribusi Yayasan Rausyan Fikr 1995-2003", *Skripsi*, UIN Sunan Kalijaga, 2014, 2-3.

²⁸ Rustan Efendy, "Upaya Membangun Epistemologi Islam (Studi Pada Pembelajaran Buku "Our Philosophy" di RausyanFikr Yogyakarta)", *Kuriositas*. Vol. 1, no. VI, (Juni 2013), 69.

²⁹ Alam, *Sejarah Perkembangan*, 2.

³⁰ Efendy, "Upaya Membangun", 68-69.

³¹ Taufik Ajuba, "Yayasan Rausyan Fikr (Studi Gerakan Intelektual Keagamaan di Yogyakarta)", *Skripsi*, UIN Sunan Kalijaga, 2009, 4.

³² Ajuba, "Yayasan Rausyan Fikr", 1.

only focuses on intellectualism in general, not as a propagator of Shi'ism.³³

The Forming-Factors of Conflict Relations and State Policy

The Sunni-Shia case in Sampang has some factors which have formed conflict relations and state policies there. It can be described as follows:

The Sampang case socially occurred because the majority of its residents, as like most Madurese, have an attitude of 'tawadhu' and excessive obedience to the scholars and religious leaders (*Kiai*). They are considered experts in religious affairs. They follow almost everything that is said without thinking about it deeply. Everything that the cleric teaches and conveys is considered to be true and unyielding.

The role of religious leaders is increasingly crucial when they "play" with their interests by building stigma to their followers and using *dakwah* (preaching) as an effort to spread hatred or revenge or bring down opponents by covering their propaganda with religious messages. Religion is used as a "vehicle" of profane political interests; religion is no longer used for the benefit of the hereafter.³⁴

The views and opinions of a *Kiai* are believed to be the authority of non-governmental elites who are standardized by their society. It is known how the charisma of a *Kiai* can accumulate two sources of power, namely formal and non-formal spiritual authorities.³⁵

From a cultural perspective, one of the traditions in Sampang is the celebration of *Maulid* (Prophet's birthday) which has become a routine community tradition. In Madura, the ritual of commemorating the birth of the Prophet (*Molodan*) is different from other regions. *Maulid* celebrations here are held on a large scale in the homes of residents for one-full-month. To conduct the event, residents invite

relatives and surrounding neighbors for the reading of *Shalawat Nabi* from morning until midnight, led by *kyai*.³⁶ This is different from what was taught by Tajul, a Shia figure, who changed the Prophet's birthday celebration tradition to be concentrated in one venue (mosque). This is considered changing the established system. It makes the gap between *Kiai* and society bigger.³⁷

From a political perspective, 2012 is also the year leading up to the Sampang regional election and 2013 East Java Pilgub. The connection between these events and the Sampang case is very clear, where those periods are the chance to gain sympathy from society as much as possible. This created political opportunities for some politicians. Many politicians approached the majority of residents to get many votes. Once again the role of a religious leader is so central in this case. Compliance and obedience of Sampang residents towards their *kyai* cannot be contested. Therefore, candidates for the regional leaders of Sampang and East Java approached clerics who were expected to mobilize the mass to vote for them.³⁸ When the Sunni-Shiite conflict occurred, the government that needed the support of votes made the choice to defend the majority by granting the community's request to expel the Shia communities from their hometowns.

In the case of Sampang, Nur Cahya as the regent of Sampang, and Soekarwo-Saifullah Yusuf as governors of the East Java became very important actors in intervening the Sunni-Shi'a conflict. Nur Cahya's role as the regent of Sampang at that time had the intention to re-run in the Sampang regional elections as well as Soekarwo-Saifullah Yusuf. The couple's role was very prominent in two cases: first, providing facilities to the clerics who tried to gain national-

³⁶ Heri Suswanto, "interview", 30 Juli 2019, Heri is a villager in Madura (Bangkalan) who works in a barbershop in Kediri.

³⁷ Hazim, "Dampak Sosial dan Psikososial Bagi Pengungsi Pasca Konflik Antara Sunni-Syiah di Sampang Madura", *PSIKOLOGI*, Vol, 3, no. 1, (Januari 2015), 11.

³⁸ Hazim, "Dampak Sosial", 10.

³³ Al Makin, "Homogenizing Indonesian", 8-9.

³⁴ Ida dan Dyson, "Konflik Sunni-Syiah", 41.

³⁵ Hilmy, "The Political Economy", 32-33.

level support in the anti-Shi'a movement and reinforce the heretical status of Shi'ism. Secondly, the governor's closeness with the anti-Shia clerics prompted him to issue "Governor Law (*Pergub*) Number 55 of 2012 related to the Development of Religious Activities and Monitoring of Heretical Sects in East Java", which includes MUI *fatwa* which stated that Shi'ism is a heretic in Islam.³⁹

From an economic perspective, the local government planned to explore oil and gas in the conflict area. For this purpose, the government needs land to be used as a road to get to the location in Karang Gayam village. By planning for oil and gas exploration activities, new roads that pass through the residents' rice fields should be opened. The question is why the government did not enlarge the existing village roads and repair them? This is a big question since the government wants other lands to access the road instead. This phenomenon reveals such a relevance with the existing conflict, it is suspected that the anti-Shia propaganda is intended to 'expulse' some residents for the sake of oil and gas exploration and exploitation.⁴⁰

Another economic factor is the existence of a *Maulid* celebration, which according to Shi'ah followers, is used as an additional chance to earn money for the *Kiai*. Previously, every *Kiai* who attended the event got some tips (some amount of money packed in envelopes). Because of Tajul's teaching that encourages people to conduct *Maulids* in one venue, the frequency of *Kiai* to attend the *Maulid* events residents' homes was decreasing. This automatically reduces their incomes. The case found its relevance when the *Kiai* 'provoked' the mass to reject Tajul's invitations and considered his sect as 'heretical'.⁴¹

The Sunni-Shi'a Conflict in Yogyakarta has factors that shape relations of conflict that tend to be peaceful, including:

³⁹ For further read Ahnaf, *Politik Lokal*, 27-28.

⁴⁰ Hazim, "Dampak Sosial", 10.

⁴¹ Hazim, "Dampak Sosial", 41-42.

From a social perspective, one of the causes of peaceful relations RF members with the Sunni group is because they are merging with society. This is useful to maintain their rights in the community. The members did not put an attitude of sentiment towards the local people who had direct contact with them. They are active in doing many things like joining *jamaah* prayer in local mosques, conducting 'Fatimah's kitchen', holding community service, taking care of the patrol (security) posts, and others. Because of this, the people of RF do not feel different, even though the ideology they have is different.⁴²

In addition to the above, according to the author, peaceful conflict relations in Yogyakarta are caused by the atmosphere of Yogyakarta as a 'city of education'.⁴³ It has become a magnet for students throughout Indonesia to come. The arrival of students in Yogyakarta has become one of the factors of the diversity of Yogyakarta. On the one hand, diversity causes a positive reaction, but on the other hand, causes a negative reaction. The diversity that exists in Yogyakarta has made the city a miniature of Indonesia because almost all ethnic communities exist in Yogyakarta.⁴⁴ As a result, diversity is very vulnerable to conflict. The positive value of diversity can be reflected in the high number of education in Yogyakarta which makes the quality of the community open and can accept the presence of other parties. This open attitude is usually only obtained by dialogue (discussion).⁴⁵

⁴² Za Muthi Amrullah, "interview" 12 Juli 2019.

⁴³ Muryana, "Kebebasan Ekspresi Keagamaan di Jogja City of Tolerance (Studi Kasus Toleransi dan Intoleransi di Balik Plank 'Terima Kost Putra Muslim' dan 'Putri Muslimah')", Vol. III, no. 1, (Juni 2017), 1-3, <http://ejournal.uin-suka.ac.id/ushuluddin/Religi/article/download/1301-01/1255>. Accessed on 22 Juni 2019.

⁴⁴ Muryana, "Kebebasan Ekspresi", 2.

⁴⁵ Intensive dialogue is one of the media to overcome violence in religion. See A. Singgih Bantari, "Religions, Violence, and Interdisciplinary Dialogue", *ESENSIA: Jurnal Ilmu-Ilmu Ushuluddin*, Vol. 19, no. 2 (Oktober 2018), 171, DOI: <https://doi.org/10.14421/esensia.v19i2.1401>.

Dialogue has become a tradition in Yogyakarta, both formal and informal. Usually, the dialogue is held at *angkringan* (street vendors) or others. The culture of dialogue comes hand in hand with the process of the social transformation of the people of Yogyakarta. This culture has been guaranteed by the social cohesiveness of the people of Yogyakarta with cultural forces as a buffer. With the formation of these cultures, an understanding of the importance of tolerance will be created. Therefore, if there is an event or conflict it will not last long.⁴⁶ This reality is one of the things that distinguishes it from the Sunni-Shiite conflict in Sampang, which most of the population has low levels of education.

From a cultural perspective, the traditions that make peaceful relations are caused by the tolerant attitude of the people of Yogyakarta as a whole. Because those who are mostly Javanese have known the term of *Teposeliro*. This term means an effort to respect and tolerate other different cultures. It seems that the word "tolerance" has the closest meaning to the term. Although some say, religious tolerance in Yogyakarta is caused by political-economic content. As revealed by Du Gay, P, Stuart Hall, Linda Janes, Hughe Mackay, and Keith Negus that political-economic power has given meaning to the symbolic aspects of cultural power. However, they are more focused on the political economy as a driver of tolerance, instead of cultural strength.⁴⁷ Besides, high tolerance cannot be separated from individuals, figures, or elements of community mobilizer that show their actions as supporters of Yogyakarta's friendly efforts and always be tolerant.⁴⁸

From a political perspective, RF people do not involve themselves in practical politics

⁴⁶ Zaenal Abidin Eko Putro, "Ketahanan Toleransi Orang Jawa: Studi tentang Yogyakarta Kontemporer", *Masyarakat: Jurnal Sosiologi*. Vol. 15, no. 2, (Juli 2010), 47.

⁴⁷ Diatyka Widya Permata Yasih, "Tradisi, Ekonomi-Politik, dan Toleransi Yogyakarta", *Masyarakat: Jurnal Sosiologi*, Vol. 15, no. 2, (Juli 2010), 46.

⁴⁸ Putro, "Ketahanan Toleransi", 22.

such as joining parties or working in government. This was chosen by RF because engaging in politics is not the goal or ideals of RF itself. RF is also not affiliated with ABI (Indonesian Ahli Bait) or IJABI (Indonesian Ahli Bait Association).⁴⁹ This has become a special feature for RF which has remained consistent in taking on universal issues such as moral philosophy, divine justice, and philosophical history which are all still within the scope of Islamic philosophy.⁵⁰ Also, the peaceful conflict relationship between RF and Sunni is because of the government system of Yogyakarta different from other regions. Yogyakarta adheres to a royal system (monarchy) led by a sultan (king) who inherit the crown from generation to generation. Because of this, practically the tension to compete from outside can be minimized.

From an economic perspective, the RF community continues to survive because it does not engage in economic competition with local Sunni residents.⁵¹ RF only has a business: selling books about Islamic thought and philosophy. The business practice does not affect the surrounding residents, economically as entrepreneur, RF must be able to see the market segmentation. Of course, the books traded by RausyanFikr only attract those who love science, like students, not other consumers. Thus it is not a problem for residents who run businesses other than that. Therefore, the presence of RF there did not disturb the businesses of the local people.

Fair Policy Offer from Government

Indonesia as a democratic country must always maintain the rights and responsibilities of its people. However, the fundamental problem of implementing the principle of democracy is the existence of a multicultural society. Clash is inevitable, Indonesia has diverse population, ranging from race, ethnicity,

⁴⁹ Amrullah, "Interview", 12 Juli 2019.

⁵⁰ Ajuba, "Yayasan Rausyan Fikr", 4.

⁵¹ Amrullah, "Interview", 12 Juli 2019.

language, skin color, and religion. With such a diverse society, this nation basically can be directed to two opposite paths: unity as the strength of the nation, while on the other hand diversity which can be used as a trigger to divide the nation. But between these two directions, it seems that the second is now more dominant in Indonesian society. To respond to this, it is an extremely difficult task to regulate and protect all its people fairly. All citizens have the same rights and responsibilities of the nation. Among the rights that can be obtained by citizens are the right to life and the right to belief, all of which have been regulated in the 1945 Constitution.

As stated above, currently Indonesia, which is in the era of reformation, can change the pattern of the state system into better. This era, according to Solikhin, in addition to creating a democratic state, has also succeeded in creating a very important part in the power system, namely "majority rules" (the majority group becomes the ruler). When the majority becomes the ruler, it is automatically has a responsibility "to protect minority and diversity" (protect minority groups and respect differences). Both of these, "Majority rules" and "minority protection" are two things that can not be separated, each of which must be believed to be mutually existent. But if one of them is not recognized, then authoritarianism will occur.

The existence of the majority group in a country must be recognized to influence the formulation of law in any country, as proposed by Beyer. But in this context, we must observe what the terms of majority and minority mean, like those which refer to ethnic, religious and linguistic differences, numerical comparison of populations, and the dominance of one group over another.⁵²

As explained in the discussion above, a problem that has yet to be completely resolved by Indonesia is the existence of policy on religious minorities. This problem remains an

unsolved problem as many state policies often deny the existence of multicultural ideas.⁵³ An obvious example is a policy on Shia and Ahmadi groups who often receive discrimination from the majority group which has power over the State.⁵⁴

Between the ideas of democracy and multicultural above, the two have interrelated and inseparable relations. Both have a vision and mission to promote equality and non-discrimination against minority groups. But the minority group cannot just keep silent in favor of the majority group. Minority groups need support from public and state authorities to obtain equal rights as the majority group.⁵⁵ Therefore the State is emphasized to make policies that can accommodate all citizens without discriminating against any groups.

Formulating a policy is not an easy process and a simple step. This is caused by many factors or forces that influence the policy-making process. A policy is made to improve welfare, protect, and provide security guarantees for whole citizens. This means that policies are not made solely for political interests or the interests of certain groups. To make and formulate these policies, several models or approaches can be used to assist in formulating policies to be more easily understood. In this case the experts have developed policy formulation models to assist and study in formulating policies that are easily understood.⁵⁶

However, according to the author, the best model for determining policy to overcome the minority problem is that the government can

⁵³ Nazifatul Ummi Al Amin et al., "Kejawen, Multiculturalism, and Principles of Qur'an: Transformation and Resupposition of QS. al-Kafirun (109) 6 in Urip Sejati Community of Yogyakarta," *Esensia: Jurnal Ilmu-Ilmu Ushuluddin* 21, no. 1 (2020): 71–90.

⁵⁴ Wahyudi dan Wahid, "Peminggiran Minoritas", 66.

⁵⁵ Wahyudi dan Wahid, "Peminggiran Minoritas", 71.

⁵⁶ Some of the models are: Political-system model, Comprehensive-rational model, Incremental model, read Sofwani, "Konsep dan Kajian Teori Perumusan Kebijakan Publik", *Jurnal Review Politik* Vol. 05, no. 02 (Desember 2015), 211-221.

⁵² Solikhin, "Islam, Negara", 62-63.

apply the politics of multiculturalism model as offered by Charles Taylor. Definitely, multiculturalism comes from the word "culture" and "multi" which means a lot and "ism" which means understanding. So that it can be understood the multiculturalism is an understanding that recognizes many different cultures. I understood that idea contains recognition of the dignity of humanity that lives in each community and culture that is different from one another. With this understanding, each individual feels respected and feels responsible for living together.⁵⁷ Multicultural itself is defined as diversity or difference in one culture with another culture. According to Bhiku Parekh, multicultural society was born from various cultures with all the advantages of each, accompanied by a slight difference in conceptions related to the world, a system of values, forms of social organization, history, customs, and habits.⁵⁸

Problems with minorities are not easy to overcome and endless. How can their rights be fulfilled amid its existence among plural and diverse society? JS Mill and Jenifer Jakson-Preece argue that the state needs to conform to the minority groups and fulfill their rights as the majority groups. They reasoned that the principle of democracy has the legitimacy that comes from the bottom line (people). Every citizen must be treated equally based on the law, not to exceed one another. So the State needs to provide individual rights and political participation. But this opinion is opposed by liberal politicians experts who support pluralism and multiculturalism. According to them, individual rights and political participation are not enough. Moreover, the State must recognize the collective rights of the community and preserve the characteristics of those minority

⁵⁷ Ilham Mundzir, "Negara, Hak-hak Minoritas, dan Multikulturalisme (Kasus Ahmadiyah)", *Indo-Islamika*, Vol. 1, no. 2, (2012), 186.

⁵⁸ Gina Lestari, "Bhineka Tunggal Ika: Khasanah Multikultural Indonesia di Tengah Kehidupan SARA", *Jurnal Pendidikan Pancasila dan Kewarganegaraan*. Volume. 28, no. 1, (Pebruari 2015), 32.

groups.⁵⁹ What was proposed by Charles Taylor can be described as follows:

The concept proposed by Taylor is based on two forms of liberalism, namely "liberalism-1" and "liberalism-2". In his long essay "The Politics of Recognition", Taylor explains that in liberalism-1: firstly, individual rights become very powerful goals. With this understanding, in formulating policies the State is prohibited to involve cultural or religious interests, projects, or other things outside individual freedom, security, welfare, and individual security of citizens. Meanwhile, in liberalism-2, the state must have an attitude of commitment to the survival and development of a particular culture, ethnicities, and religions. Finally, the State must be committed to safeguard and protect all the basic rights of its citizens.⁶⁰

To support the above multiculturalism which protects and defends the rights of minorities, three arguments are worth pointing out: first, cultural values or cultural diversification. Second, social equality and equal opportunities. Third, social cohesion and stability.⁵⁸ These three things are the defenders of minority rights, in addition to its relation to how the majority group treats minority groups in a democratic country with its various principles.⁶¹

First, plurality is a necessity. As stressed by Bikhu Parekh, in a society there are various ideologies and cultural practices, while assimilation is a difficult matter to do. So, believing in cultural plurality is important to apply to the political frame. Identity and values are formed in the cultural community. Therefore cultural differences must be accepted, respected, and believed to exist. With this, multiculturalism can be a medium to accommodate minority rights. This political policy is not new, some politicians and supporters of democracy have reminded this, one of them is Isaiah Berlin who oppose JS's political policy thinking in his text *On Liberty*. According to Berlin, two freedoms

⁵⁹ Mundzir, "Negara, Hak-hak Minoritas", 187-188.

⁶⁰ Solikhin, "Islam, Negara", 57-58.

⁶¹ Mundzir, "Negara, Hak-hak Minoritas", 189-190.

exist in every human being namely 'positive freedom' and 'negative freedom'. The positive freedom is that an individual or group can realize it freely and embody itself as self and rationality control. It is understood that human beings should become masters of themselves. While negative freedom is freedom for every individual or group that is destined to always get obstacles, pressures, coercion, or restraints from outside. A person who is said to be free is those who are free from interference by other people or groups.⁶²

It is not a difficult thing in Indonesia to find any kind of culture, languages, and even religions. In the realm of religion, we have no difficulty in finding religious denominations, as in Islam there are NU and Muhammadiyah. Although both have the same religious identity, both have differences that make it impossible to mix them into a single religious group. Likewise the Shia minority, despite being amid Sunni majority, it is seen that governments are trying to consider them the same as other sects that have no similar beliefs. The policy cannot be realized, because belief is a matter of the heart, so the policy will be realized only by coercion and even with an attitude of violence (intolerance). Thus there is no other way to respect Shi'a who has the right to their faith and keep their traditions.

Secondly, each group always wants to preserve their uniqueness and culture, on the other hand, they also want to get the same right to participate in society. Ethnic groups are also encouraged not only to participate in society but also to help to preserve culture. Multiculturalism is an ideology and model used to eradicate discrimination and structural inequality. Therefore, multiculturalism becomes important because it will lead to the fulfillment of minority rights. However, to realize this, awareness of the majority group is also needed.⁶³

In this context, the Shia group is a religious denomination that has unique features and characteristics, as other groups. The state as the highest institution must not prioritize one group in determining its policies. It means that the State must be neutral. Because after all, Shia followers also need to preserve their own identity and ritual without being bothered by others. Therefore, the State should provide opportunities, freedoms, as given to other groups. At the same time, the majority group must be aware of and have the ability to accept differences.

From the explanation above, it can be understood that individual rights and group rights cannot be separated. If group rights are deprived or fulfilled, individual rights are the same. Because basically between groups and individuals like the body with clothes or jewelry. A group is an identity that cannot be separated from any individual as clothes and jewelry attached to the body of each individual. Clothes and jewelry functions to protect and give value and meaning to someone in the community. Therefore, culture and identity are very meaningful for each member of any group, as Kymlika said.⁶⁴

Third, the existence of minorities in a country is often related to the existence of unity and stability conflicts in a nation. Cultural differences are often seen as a triggering factor which is worried to cause social cohesion and endanger national unity. These worries that make the State to turn away from multiculturalism. This policy has no intellectual basis and historical experience. However, the evidence provided by Will Kymlika from the research he had done gives a kind of lesson. Kymlika compared the Central and Eastern countries that implemented a "security" policy for minorities that was used in ensuring the stability and integrity of the country with American and Western policies that implemented multiculturalism policies. According to him, the second ones are more

⁶² Mundzir, "Negara, Hak-hak Minoritas", 191.

⁶³ Mundzir, "Negara, Hak-hak Minoritas", 191.

⁶⁴ Mundzir "Negara, Hak-hak Minoritas", 192-193.

democratic, more advanced, and better conditions, compared to the first. The same was stated by Keith Banting in his study of the 21 countries. Countries that implement multiculturalism have a strong 'resilience' in terms of social, political, and economic.⁶⁵

From the multicultural political logic recommended by Taylor above, as an expression of the country's fair commitment to all its citizens, the State must not only protect minority groups but also promote and preserve them. In general, the multicultural political model is also considered as an ethnic multicultural model.⁶⁶

⁶⁵ Mundzir, "Negara, Hak-hak Minoritas", 193.

⁶⁶ Theoretically, all or at least most of the multicultural culture in the world can be classified into one of three models of multiculturalism (see, Parekh 1997; 2001). First, a model that promotes nationality. Nationality is a new figure that is built together without regard to the diversity of ethnic groups, religions, and languages, and nationality works to tie up integration. This model views everyone - not the collective - as having the right to be protected by the state as a citizen. As a consequence, the application of this model ignores cultural roots of any ethnic identities which have formed the nation, leaving it just as history. Many people accuse this model of being a destroyer of ethnic culture. This multiculturalism policy model is vulnerable to fall into authoritarian rule because the power to determine the elements of national integration is in the hands of particular elite group that controls the country. Nationality and nationalism become a toolss for the elite to achieve their goals. France is an example of a country that applies this model. In this country rules are applied to all individual French citizens regardless of ethnic background, and at the same time manifesting ethnic or religious cultural identity in public space is prohibited. The recent ban on wearing *hijab* in France is an example of the operation of the nationality model.

Second, the nationality-ethnic model based on a strong ethnic collective awareness based on blood relations and consanguinity with founding-fathers. In addition, language unity is also a nationalist characteristics. This model is considered as closed model because outsiders who do not have anything to do with blood relations with the founding-fathers of the nation will be excluded and treated as strangers. Germany is known as a nation that uses this model of multiculturalism consistently. Especially in the past, Germans declared themselves as descendent of Aryan ethnicity. The purification of the German race before World War II was an extreme example of the multiculturalism model of nationality-ethnicity.

Third, the multicultural-ethnic model that recognizes the existence and rights of all ethnicities of the citizens. In this model diversity becomes a reality that must be recognized and

In connection with the Shia case above, the State is obliged to provide security guarantees and protect any threats that come from outside. In addition, the State is also obliged to guarantee the preservation of the Shia community in Indonesia. Whereas the existence or survival of the Shia community, like other communities, is also the obligation of its adherents to always show their existence, no longer from the state domain. It also applies to other communities. With the implementation of multicultural politics, the existence of discrimination towards the Shia community will be reduced.

Thus, the non-discrimination policy adopted by the Indonesian State reflects the position and function of the State as a whole. This is by the law established by the early founders of the nation. The principle of non-discrimination has been included in the legislation, including the 1945 Constitution, Law Number 39 of 1999 concerning Human Rights (article 3 paragraph 3), Law Number 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination, Law Number 23 of 2004 concerning the Elimination of Domestic Violence (article 3 letter c) and Law Number 23 of 2002 concerning Child Protection (article 2 letter a).⁶⁷

accommodated by the state, while the identity and origins of citizens are still considered. This model is applied mainly by countries that have the problem of indigenous people (aborigines) and migrants (settlers) such as Canada and Australia. The issues that arise from the application of this policy are not only collective and ethnic diversity, but also majority-minority issues, dominant and not dominant. The problem becomes even more complex because the majority does not always mean dominant, because various cases show that the minority is dominant in the economy. If the state power is weak, because the priority of power is distributed to various communities as a consequence of state recognition, then the state may be threatened by prolonged internal conflicts which in turn will weaken the state itself. See, Achmad Fedyani Syaifuddin, "Grounding Multiculturalism in Indonesia," *ETNOVISI: Journal of Socio-Cultural Anthropology*, Vol. II, 31 (April 2006), 8-9.

⁶⁷ Yogi Zul Fadhli, "Hak Asasi Kelompok Minoritas di Indonesia (Studi Tentang Hak Beragama Bagi Penganut Ajaran Syiah)", *Tesis*, Yogyakarta: UII, 2013, 111.

In the 1945 Constitution which defines Indonesian constitution in Articles 28 D and 28 I affirming that, Article 28 D: "Everyone has the right to recognition, guarantees, protection, and certainty of law that is fair and equal" While Article 28 I paragraph (2): "Everyone has the right to be free from discriminatory treatment on any basis and has the right to get protection against discriminatory treatment.", Law Number 39 of 1999 concerning the enforcement of human rights in Indonesia. The regulation is precisely stated in article 3 paragraph 3 which reads: "everyone has the right to protection of human rights and human freedom, without discrimination."

Law 39/1999 above does not appear to be directly related to minority issues. In that article it is only mentioned as mentioned in paragraph 5 3: "Everyone who belongs to a vulnerable group of people has the right to receive more treatment and protection concerning their specialty." In this article, what is meant by vulnerable groups is children, elderly people, pregnant women, the poor, and people with disabilities. Although not recorded in the explanation, minority groups are recognized in the discourse on human rights law as a vulnerable group.

Internationally, the recognition of the guaranteed human rights of minority groups as practiced for indigenous people and refugees is recognized as the main subject of human rights law. Besides, support for the protection of human rights in minority groups comes from various parties such as international human rights treaties, special mechanisms in the United Nations in the form of committees, special rapporteurs, working groups, independent experts, and other important court decisions.⁶⁸

Human rights guarantees have been widely sounded at other events like International Convention on the Elimination of Racial Discrimination (CERD) in 1969, the International Convention on the Eradication and Punishment of Crimes for Distinguishing Color

(Apartheid), Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, and the International Convention on the Elimination of All Forms of Discrimination Against Women. While in regional scope, those principle is found in the American Convention on Human Rights, African Charter (Flood) on Human Rights Humans, the Inter-American Convention Regarding the Granting of Civil Rights to Women, the American Declaration on Human Rights and Responsibilities, the European Convention for the Protection of Human Rights and Fundamental Freedoms and European Social Charter.⁶⁹

Based on the above, human rights are a priority in all parts of the world. This is a form of appreciation for the freedom of human beings to embrace any religions and to believe any faiths. This freedom is not only for the majority groups but also for the minority ones. Both of them must get the same rights, none of them deserve unequal rights, like Shia groups in Indonesia.

Conclusion

From the above discussion, it can be concluded that there are various factors that influence the formation of state policy in the Sunni-Shiite relations, both in Sampang and Yogyakarta, as below;

First, the policy-forming factors in Sampang that conflict include: 1) Social aspects: the Sampang community (generally Madura) is homogeneous (Sunni Islam) and has a fanatic spirit towards religious leaders (kyai). It is the dominance of the Sunnis that 'requires' the government to decide policies based on the interests of the majority. 2) In terms of culture, changes in the commemoration of the mauled tradition were carried out by Tajul Muluk, who initially changed every house in the mosque. 3) Political side, along with the year in which the elections (2012) and provincial election (2013) will be held, so that in the formulation of

⁶⁸ Fadhlī, "Hak Asasi", 112.

⁶⁹ Fadhlī, "Hak Asasi", 111-112.

government policies they prefer the majority interests to be used as their interests in obtaining votes in the pilkada and pilgub. 4) In terms of economics, the reduction of the clerics' envelopes in the tradition of mauled memorials. In addition, the factor of land acquisition for local residents from the government, which is planned for oil and gas exploration increases the conflict.

Second, the factors forming the Yogyakarta government's policy that tend to be peaceful, among others are: 1) Social aspects, the RausyanFikr community has a strategy in defending their rights in the community by fusing with the surrounding community such as involving themselves in congregation in a mosque, community service, watch posts alternately, and the others. In addition, the RausyanFikr community made "Dapur Fatimah" which was used to help each other residents in need. 2). In terms of culture, the people of Yogyakarta are heterogeneous and have a high attitude of tolerance. 3) In terms of politics, the RausyanFikr group does not involve themselves in any political groups. In addition, the Yogyakarta government (sultan) itself does not have political competitors because it is indeed an adherent of the kingdom system. 4) In terms of economics, the RausyanFikr group does not have a relationship to compete with surrounding residents. They only have stalls that are only for buying Islamic books of thought and philosophy.

Third, alternative policies that can be applied to overcome the problem of Shiite minorities are the politics of multiculturalism as offered by Charles Taylor. This concept rests on two forms of liberalism, namely liberalism-1 and liberalism-2. The purpose of liberalism-1 is individual rights that become strongest goals. With this understanding, the State in formulating policies is prohibited to involve cultural or religious interests or projects or other things outside the individual's freedom, security, welfare and individual citizens' sense of security. While in forms of liberalism-2, the state must have an attitude or commitment to

the survival and development of a particular culture, ethnicity, and religion. Finally, the State is committed to protecting and protecting all the basic rights of all citizens.

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